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EXAMINER

TRAN, TUYETLIEN T

ART UNIT PAPER NUMBER

2179

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/624,160

Applicant(s)

FIRMAN, DUANE

Examiner

TuyetLien (Lien) T. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This application has been examined. The original claims 1-16 are pending. The examination results are as follows.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13 and 14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claim 13, a "computer readable medium" is being recited; however, as disclosed by the specification (e.g., see [0016]), a computer readable medium is not taught to limit to physical items.

Claim 14 is rejected as incorporating the deficiencies of a claim 13 upon which it depends.

Note that amending claim 13 to recite – computer-usable storage medium-- would overcome this rejection in a manner consistent with Applicant's specification.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by An et al (Patent No. 6,031,904; hereinafter An).

*As to claims 1 and 15, An teaches:*

A system and method of correcting an error in a service order (e.g., a system and method for allowing telephone subscribers to update over the internet the features which are active on the telephone, see Abstract), the service order comprising an electronic document having a plurality of fields (e.g., the form that lists phone features and available features, see Fig. 6), the plurality of fields having data associated therewith (e.g., phone feature, see Fig. 6), the method comprising:

providing a service order control panel (e.g., a visual and user-friendly interface, see col. 1 lines 54-55), the service order control panel comprising a plurality of function controls (e.g., control buttons such as "add a feature", "remove a feature", "speed call" as shown in Fig. 6), each function control having an associated predetermined function that manipulates data in at least one of the plurality of fields in the service order (e.g., "add a feature" control button allows an additional feature being added to the current phone package, see Fig. 6);

accepting user input from a user to select a function control (e.g., user select a control button resulting a feature is added or removed from the current phone service, see Fig. 6); and

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performing the predetermined function associated with the selected function control to manipulate data to correct the error in at least one of the plurality of fields in the service order (e.g., making changes to the current phone service, see Fig. 12 and col. 6 lines 18-27).

*As to claim 13, An teaches:*

A computer program product for correcting an error in a service order (e.g., software module running on web server 50 or service manager program, see Fig. 2 and col. 3 lines 20-23), the service order comprising an electronic document having a plurality of fields (e.g., the form that lists phone features and available features, see Fig. 6), the plurality of fields having data associated therewith (e.g., phone feature, see Fig. 6), the computer program product comprising:

a computer readable medium having computer readable program code embodied therein (e.g., machine 50 or service manager node 16, see Fig. 2 - Fig. 3 and corresponding text in col. 3 lines 20-25), the computer readable program code comprising:

computer readable program code which provides a service order control panel (e.g., a visual and user-friendly interface, see col. 1 lines 54-55), the service order control panel comprising a plurality of function controls (e.g., control buttons such as "add a feature", "remove a feature", "speed call" as shown in Fig. 6), each function control having an associated predetermined function that manipulates data in at least one of the plurality of fields in the service order (e.g., "add a feature" control button allows an additional feature being added to the current phone package, see Fig. 6);

computer readable program code which accepts user input from a user to select a function control (e.g., user select a control button resulting a feature is added or removed from the current phone service, see Fig. 6); and

computer readable program code which performs the predetermined function associated with the selected function control to manipulate data to correct the error in at least one of the plurality of fields in the service order (e.g., making changes to the current phone service, see Fig. 12 and col. 6 lines 18-27).

*As to claims 2, 14, and 16,* An further teaches wherein the service order control panel (e.g., a visual and user-friendly interface, see col. 1 lines 54-55) further comprises at least one linking control (e.g., the categories calling out icon 80 as seen in Fig. 5), the linking control having a portion of the service order associated therewith (e.g., calling out features as shown in Fig. 6), the computer readable program code (e.g., web server 50 or service manager program, see Fig. 2 and col. 3 lines 20-23) further comprising:

computer readable program code which accepts user input to select a linking control (e.g., see col. 5 lines 35-48); and

computer readable program code which displays the portion of the service order associated with the selected linking control (e.g., see Fig. 6 and col. 5 lines 35-48).

*As to claim 3,* An further teaches wherein performing the predetermined function further comprises automatically performing the service order (e.g., by activating 'call forward' feature, all calls would then be forwarded to the new location, see col. 1 lines 45-48).

*As to claim 4*, An teaches further comprising accepting user input from the user to edit data associated with at least one of the plurality of fields (e.g., editing 'call forward' feature with the hotel or friends' telephone number, see col. 1 lines 41-49).

*As to claim 5*, An further teaches wherein the predetermined function comprises a disconnect function (e.g., removing a feature from the phone service, see Fig. 6) and performing the predetermined function further comprises automatically disconnecting a telecommunications service (e.g., see col. 4 lines 12-16 and col. 6 lines 18-27).

*As to claim 6*, An further teaches wherein the predetermined function comprises a connect function (e.g., adding a feature to the phone server, see Fig. 6) and performing the predetermined function further comprises automatically connecting a telecommunications service (e.g., see col. 4 lines 12-16 and col. 6 lines 18-27).

*As to claim 7*, An further teaches wherein the predetermined function comprises a transfer function (e.g., control button that allows 'call forward' feature to be activated, see col. 1 lines 41-49) and performing the predetermined function further comprises automatically transferring a telecommunications service to a predetermined location (e.g., all calls are forwarded to the new location predetermined by the user when activating the 'call forward' function, see col. 1 lines 41-49).

*As to claim 8*, An further teaches wherein the predetermined function comprises a no field work function (e.g., without the need for the involvement of a service representative, see col. 4 lines 14-16) and performing the predetermined function

further comprises changing one of the plurality of fields in the service order to indicate that no field work is required (e.g., changes made are displayed to the user without any involvement of a service representative, see Fig. 12).

*As to claim 9*, An further teaches wherein performing the predetermined function further comprises manipulating the data in at least one of the plurality of fields in the service order to indicate that the service order is complete (e.g., displaying checkmark on data fields that have been changed during the service order, see Fig. 12).

*As to claim 10*, An further teaches wherein performing the predetermined function further comprises altering data in at least one of the plurality of fields in the service order (e.g., removing or adding a feature from or to a current phone feature services, see Fig. 6).

*As to claim 12*, An further teaches wherein the service order is a telecommunications service order (e.g., telephone service, see col. 1 lines 32-40).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over An in view of Doherty et al (Patent No. 6,961,415 B2; hereinafter Doherty).

*As to claim 11*, An teaches the limitation of claim 10 for the reasons as discussed with respect to claim 10 above. However, An fails to teach editing a date of service. Doherty, though, teaches altering a date of service (e.g., a work order with automatic interim rescheduling, see col. 2 lines 31-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the function of rescheduling the date of performing a work order as taught by Doherty to the method of allowing service features to be added or removed to and from a phone server as taught by An to permit potential problems to be dealt with quickly and effectively (e.g., see Doherty col. 2 lines 44-47).

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

***Examiner's note:*** Examiner has cited particular columns, line numbers, and figures in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teaching of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T  
11/22/2006

Lien Tran  
Examiner  
Art Unit 2179

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